

REMARKS/ARGUMENTS

Favorable reconsideration of the present application in light of the following discussion is respectfully requested.

Claims 1 and 3-36 are pending in this application, of which Claim 1 is amended and Claims 7-36 have been withdrawn from consideration. Claim 1 finds support in the original claims and at least paragraphs [0098] and [0103]. No new matter has been added.

In the outstanding Office Action, Claims 1 and 3-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,148,168 (Hirai et al.); Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hirai et al. in view of U.S. Patent No. 6,342,963 (Yoshino); and Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hirai et al. in view of Yoshino and further in view of U.S. Patent No. 6,115,165 (Tada).

Claim 1 recites in part, “driving a light emitting position of the laser light emitting elements in a subscanning direction by rotatably driving the laser light emitting element ... about a rotational central axis of the holding member.”

The outstanding Office Action relies upon deflection device **240** as depicted in Fig. 1 as a basis of anticipating the recited features of Claim 1. However, Hirai et al. fails to describe deflecting device **240** as “driving a light emitting position of laser light element in a sub-scanning direction by rotatably driving the laser light emitting element ... about a rotational central axis of the holding member,” as recited in Claim 1. In fact, Hirai et al. does not describe rotating a laser element around any axis much less a rotational central axis of a holding member. In contrast to Claim 1, Hirai et al. only describes deflecting device **240** as “deflecting the laser beam from the semiconductor laser element, in the main scan direction.” See col. 7, lines 26-28. Therefore, Hirai et al. does not teach “driving” as defined in Claim 1.

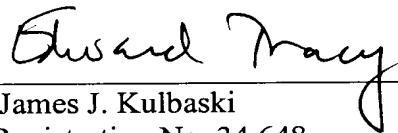
Claim 1 also recites in part, “substantially aligning the rotational central axis of the holding member with the optical axis of the optical beam at a point at which the optical beam is deflected off of a mirror towards one of the image carriers.” Since Hirai et al. is silent regarding “rotatably driving the laser light emitting element by rotatably driving the laser light emitting element … about a rotational central axis of the holding member,” as discussed above, there is no “rotational central axis of the holding member” described in Hirai et al. Therefore, Hirai et al. cannot teach aligning such an axis with any other axis. Therefore, Hirai et al. does not teach the “substantially aligning” defined in Claim 1.

In addition, none of the further cited Yoshino or Tada references, either individually or combined, cure these deficiencies of Hirai et al. Therefore, the rejections as to Claims 1 and 3-6 are believed to be overcome.

Consequently, in light of the above discussion and in view of the present amendment the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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